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M 12-144

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF APPLICATION FOR
ARREST WARRANT

ANDRE NEVERSON,
also known as "Troy Michael Anderson,
and "Troy Michael Henderson," "Trey
Michael Henderson," "Andre Humphrey,"
and "Andre Henderson,"

(Title 18, U.S.C.,
Section 1073)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

JOSEPH PITRUZZELLO, being duly sworn, says that he is a
Deputy United States Marshal, duly appointed according to law and
acting as such.

Upon information and belief, in or about July 2002,
within the Eastern District of New York and elsewhere, the
defendant ANDRE NEVERSON, also known as "Troy Michael Anderson,
and "Troy Michael Henderson," "Trey Michael Henderson," "Andre
Humphrey," and "Andre Henderson," did intentionally move and
travel in interstate commerce with intent to avoid prosecution
and custody or confinement after conviction under the laws of the
State of New York for the crime of violating his New York State
parole conditions of release in connection with an underlying
conviction for attempted murder in the second degree, assault in
the first degree and criminal possession of a weapon in the

second degree, said crime being a felony punishable by a term of incarceration of one year or more.

(Title 18, United States Code, Section 1073)

The source of your deponent's information and the basis for my belief are as follows:¹

1. The information set forth in this complaint is based upon a review of law enforcement databases, court records, and consultations with other law enforcement agents, including the New York Police Department ("NYPD"), a New York State Supervisory Parole Officer and with the Brooklyn County District Attorney's Office.

2. On March 11, 1992, defendant ANDRE NEVERSON assaulted his former girlfriend with a gun. Thereafter, he chased and shot the former girlfriend's uncle four times. On November 29, 1993, defendant ANDRE NEVERSON was convicted, after trial, of attempted murder in the second degree, assault in the first degree and criminal possession of a weapon in the second degree. He was sentenced to a term of five to fifteen years on the attempted murder charge, three to nine years on the assault charge and two to six years on the weapons charge, with the sentences to run concurrently. He was also placed on a ten year term of parole.

3. Defendant ANDRE NEVERSON was paroled on November 2, 1998. On April 2000, agents with the Immigration and

¹Because the purpose of this Complaint is only to state probable cause I have not described all the relevant facts and circumstances of which I am aware.

Naturalization Service took defendant ANDRE NEVERSON into custody, based on his status both as an illegal alien and a convicted felon. After a hearing, defendant ANDRE NEVERSON was deported to Trinidad and Tobago on July 24, 2000.

4. At some point prior to July 8, 2002, defendant ANDRE NEVERSON re-entered the United States. On that date, defendant ANDRE NEVERSON allegedly shot and killed his sister Patricia Neverson. The following day, defendant ANDRE NEVERSON allegedly shot and killed his former girlfriend Donna Davis. I am informed by the NYPD and by the Brooklyn County District Attorney's Office that two complaints have been prepared for defendant ANDRE NEVERSON's arrest, one for the murder of his sister and one for the murder of his former girlfriend. In connection with those complaints, the NYPD has issued an "I Card" notifying any law enforcement officer who comes into contact with defendant ANDRE NEVERSON to place him under arrest.

5. On July 11, 2002, a parole violation warrant was issued for defendant ANDRE NEVERSON. A copy of that warrant is attached hereto. The parole violation report charges defendant ANDRE NEVERSON with violating his parole by unlawfully entering the United States after deportation, failing to notify his parole officer of his address, shooting his sister, Patricia Neverson, possessing a firearm without permission from his parole officer, and abducting his former girlfriend, Donna Davis.

6. Extensive efforts were made to locate defendant ANDRE NEVERSON at the time of the murders, including contacting

and visiting his family members, visiting his former residences and the residences of past and current girlfriends, notifying police in Trinidad, where defendant NEVERSON was from, and Jamaica and Canada, where defendant ANDRE NEVERSON had ties. Further, after the murders, defendant ANDRE NEVERSON immediately dropped his cellphone, evincing knowledge that he was being sought. In addition, shortly after the murders, defendant ANDRE NEVERSON told a friend that he had killed his sister, Patricia Neverson, and as a result, he had to leave town.

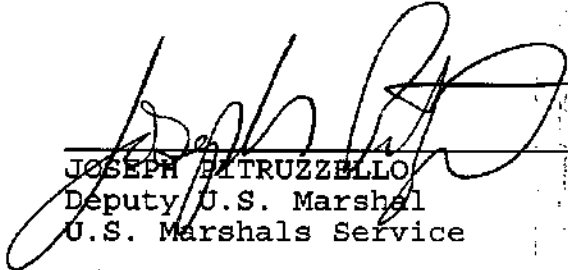
7. In November 2002, defendant ANDRE NEVERSON entered the Brooklyn home of an ex-girlfriend through the window. He was armed and threatened the girlfriend, telling her that he wanted to see their son. Shortly after defendant ANDRE NEVERSON entered the home, the girlfriend's brother confronted him and he fled through the window. NYPD officers searched the area but were unable to find defendant ANDRE NEVERSON.

8. Since 2002, the government has received "tips" as to defendant ANDRE NEVERSON's whereabouts. He has allegedly been seen in Trinidad, Canada, Arizona and New Jersey.

9. Based upon my fifteen years of experience in law enforcement and based upon the facts of this investigation as I know them to date, it is my belief that the defendant ANDRE NEVERSON has fled the jurisdiction of New York State.

WHEREFORE your deponent respectfully requests that an arrest warrant issue charging the defendant ANDRE NEVERSON, also known as "Troy Michael Anderson, and "Troy Michael Henderson,"

"Trey Michael Henderson," "Andre Humphrey," and "Andre Henderson," with fleeing the jurisdiction of the State of New York to avoid prosecution and custody or confinement after conviction under the laws of New York to avoid prosecution and confinement for his parole violation for the crimes described above, being felonies, in order that he may be dealt with according to law.



JOSEPH DI TRUZZELLO
Deputy U.S. Marshal
U.S. Marshals Service

Sworn to before me this
9th day of February 2012

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

WARRANT No. 380614

WARRANT FOR RETAKING AND DETAINING A PAROLED OR CONDITIONALLY RELEASED PRISONER

TO ANY PAROLE OFFICER, PEACE OFFICER OR ANY OFFICER, authorized to serve criminal process and to the superintendent or other person in charge of any jail, penitentiary, lockup or other place of detention in this State:

Having reasonable cause to believe that NEVERSON, Andre
(Name)

60299720, a parolee or conditionally released person under the supervision of the New York
(Number)

State Board of Parole has violated his parole or Conditional release agreement, or has lapsed, or is probably about to lapse, into criminal ways or company, now, therefore, pursuant to the provisions of the Executive Law and the Rules and Regulations of the Board of Parole, I hereby order that said parolee or conditional release be retaken and placed in detention to await the action of the Board of Parole and for so doing, this shall be your sufficient warrant.

NEW YORK STATE BOARD OF PAROLE

Per SPO Tatro

Dated at July 11 19 2002

THIS IS A CERTIFIED COPY OF WARRANT ORIGINALLY ISSUED FOR Andre NEVERSON

COUNTY OF New York

STATE OF NEW YORK

S.S.:

On this 11th day of July 2002 before me came Hilary Solomon
to me known to be a senior parole officer of the New York State
Division of Parole, and attested that the above instrument is a certified copy of warrant originally issued.

Culleton Daniel
Notary Public, State of New York
01CU6044206
Qualified in New York County
Commission Expires July 3, 2006

Notary Public